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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,390	10/24/2003	Benno Tobias Schindler	71152	2523
23872	7590	04/01/2005		
MCGLEW & TUTTLE, PC 1 SCARBOROUGH STATION PLAZA SCARBOROUGH, NY 10510-0827			EXAMINER NGUYEN, TAI T	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/693,390

Applicant(s)

SCHINDLER ET AL.

Examiner

Tai T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/24/03&2/10/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "suitable actuation device of the vehicle steering system" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the current image" in line 8. There is insufficient antecedent basis for this limitation in the claim.

In claims 6-7, 13, and 18, the term "and/or" in the claims rendering the indefinite of the limitations. Applicant is required to make change on those claims by electing either ----and---- or ----or----, not both.

Claim 12 recites the limitation "the operator" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 20, applicant should clarify the specific step/steps intended by "the currently required ... steering system." It is not clear what the actuation device is intended to do.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4, 8-10, 14, and 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Mizusawa et al. (US 2002/0175832).

Regarding claim 1, Mizusawa et al. disclose a method of operating a display system (30) in a vehicle (1) for finding a suitable parking space, the method comprising:

recording an area (figure 10) of observation in the vicinity of the vehicle with at least one camera (10, paragraphs 89-90);

processing image data coming from the camera with an image processing unit (20, paragraph 91);

displaying on a display screen (30) in the interior of the vehicle the image data coming from the image processing means (abstract and paragraph 92); and

superimposing a parking place symbol which symbolizes true scale an area in a current image which the vehicle can reach when parking, starting from its current position, taking into account the properties of the vehicle, including the size of the vehicle and the maximum steering angle by the image processing unit onto the current image on the display screen (paragraphs 116-117).

Regarding claims 2-4, Mizusawa et al. disclose the parking place symbol being a rectangle having transverse and longitudinal legs (figure 10).

Regarding claim 8, Mizusawa et al. disclose the use of a plurality of cameras (8) to generate the image display (paragraph 89).

Regarding claim 9, Mizusawa et al. disclose the observation area of the at least one camera being located behind the vehicle (figures 3-4).

Regarding claim 10, Mizusawa et al. disclose the use of a wide angle lens (paragraph 101).

Regarding claim 14, Mizusawa et al. disclose the display providing representation of a driving tube (figures 10, 14, 16, 19, 21, and 26) including accommodating the maximum steering angle of the vehicle (paragraph 107).

Regarding claims 16-20, Mizusawa et al. disclose the steering angle being calculated and corrected to guide the operator into the parking place (figure 27).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizusawa et al.

Regarding claims 5-7, Mizusawa et al. disclose the legs or the rectangle to represent each of steps needed to maneuver into the parking place (figure 14). It would have been obvious to one of ordinary skill in the art at the time the invention was made

to have the lines/legs represent each parking steps in order to facilitate the parking maneuver.

9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizusawa et al. in view of Ishii et al. (US 2002/0005779).

Regarding claim 11, Mizusawa et al. disclose everything claimed except the image processing unit displaying an image corresponding to a perspective outside the vehicle from a top view thereof. Ishii et al. teach cameras (C1-C6) being mounted on top of a vehicle (1, figure 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use mounting design of Ishii et al. in Mizusawa et al. for the purpose of enabling the system to be used with various types of vehicles.

10. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizusawa et al. in view of Okamoto (US 2003/0030724).

Regarding claim 12, Mizusawa et al. disclose the system including a mapping table having images corresponding to different parking situations (paragraphs 97-100). Mizusawa et al. disclose everything claimed except different parking place symbols being stored in the image processing unit and selected by an operator. Okamoto teach the use of different parking place symbols being stored in the image processing unit and selected by an operator (figure 1, paragraph 13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the operator select

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parking situation with the system of Mizusawa et al., as suggested by Okamoto, for the purpose of providing an image of the intended parking place.

Regarding claim 13, Mizusawa et al. disclose the system being used with different types of parking places (figures 10-26).

### ***Allowable Subject Matter***

11. Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kawauchi et al. (US 2003/0058338) and Kuriya et al. (US 2001/0017591).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai T. Nguyen whose telephone number is (571) 272-2961. The examiner can normally be reached on Monday-Friday from 7:30am-5:00pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Tai T. Nguyen', with a long, sweeping horizontal line extending to the right.

Tai T. Nguyen  
Examiner  
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March 26, 2005